

Nolensville Planning Commission
Regular Meeting at Nolensville Elementary School
March 11, 2008 at 7:00 p.m.

Board Members Present: Rick Owens, Beth Lothers, Andrew Grosson, Jimmy Alexander, Frank Wilson, Willis Wells, Douglas Radley, Bob Haines, Matt Happel

Staff Present: Henry Laird, Bob Notestine, and Cathi Little

Citizens Present: 12

CALL MEETING TO ORDER

The meeting was called to order by Chairman Rick Owens at 7:07 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was let by Commissioner Willis Wells.

APPROVAL OF MINUTES

Commissioner Wells made a Motion to approve the minutes of the February 12, 2008, meeting, Commissioner Frank Wilson Seconded.

Commissioner Wilson noted that Commissioner Wells was not listed as being present at the February 12, 2008 Meeting. It was discussed that it was a typographical error. The February 12, 2008 minutes, with the correction of the typographical error, passed unanimously.

ANNOUNCEMENTS

None

CITIZEN COMMENTS

Brian Truman, 3232 Locust Hollow in Bent Creek. Mr. Truman stated he was elected as the first Board Member for the Bent Creek Homeowners Association. Mr. Truman stated on behalf of several Bent Creek residents, as well as himself, that they are opposed to the proposed smaller lot sizes in Bent Creek. Mr. Truman said they feel smaller lot sizes means smaller homes, which means less value for their homes and community.

Joe Tiratto, 3320 Redmon Hill in Bent Creek. Mr. Tiratto stated that he is against the proposal for a reduction in lot sizes in Bent Creek. Mr. Tiratto reported the lot next to him, lot #225, has remained undeveloped for several years. Mr. Tiratto further noted that a home is now being built on this lot that has very small street frontage. Mr. Tiratto then purportedly read from the covenant for Bent Creek, on page 14, regarding approval for homes to be built on lots: "Approval shall be based upon, among other things, adequacy of site dimensions, harmony of external design and neighboring structures." He went on to

state he felt the construction taking place on lot #225 does not meet those requirements. For these reasons, and for others, he asked that the proposal for smaller lot sizes not be approved. He also asked that the appropriate authorities reconsider the home being built on lot #225.

NEW BUSINESS

Subdivision Review:

1. Bent Creek Final PUD Plan, Phase 7, Sec. 1

Section proposes 16 lots varying in widths of 51' to 56' wide near Bitticks Creek Drive.

Henry Laird reported the initial approved P.U.D. plan for this area consisted of lots with widths of 61-feet and 65-feet. The developer is requesting to change those lot sizes to 51-feet and 56-feet in width. Mr. Laird stated that the Town received a letter from Mr. Cates explaining they are requesting approval as market conditions have changed and builders are asking them for more 51-foot type product in order to meet market requests.

Mr. Laird went on to state that the article he referenced in his comments should have been Article 2.2.10.b.3, which states, in part: "Final PUD plan of a Planned Unit Development, or as submitted in phases, shall be substantially consistent with the approved concept plan." This Article is the basis for Mr. Laird's main comment that the proposed request is a substantial change from what was originally approved.

Mr. Truman noted that residents living in larger Turnberry homes will be behind the proposed smaller lots. There will be a drastic difference between their homes and those proposed to be built behind them. He went on to state that the Town should take into consideration the home values of those already living there, the aesthetic difference and the look of homes that will be built on a much smaller piece of property.

Eric McNeely, Cates & Kottas. Mr. McNeely stated that the developer doesn't feel any product that is being built in Bent Creek will devalue any home there. The product will match what has previously been built. The lots are being sold at a higher value than what was sold in the initial phases. He said one thing that needs to be considered is an economically viable market this product will be built in. He went on to state that what they originally envisioned for the 400 plus homes no longer exists in today's market. The Builders have come to them asking for an area they can build on in the subdivision in an economically viable market. Mr. McNeely also suggested that, historically, if a developer leaves a community, housing values always plummet.

Mr. McNeely stated the plan was originally approved for 806 lots with variable widths; they don't feel that the plans are being changed substantially. He went on to state that the Planning Commission, in the past, amended a final P.U.D. and has set a precedent by

changing lot sizes. Phase 4, was submitted to this Planning Commission for 100 lots in 2006, as market conditions changed, they amended the final P.U.D. and created 89 units, resulting in a net loss of 11 lots.

Town Attorney, Bob Notestine, stated that based on the initial approval of Bent Creek, as each phase comes up, there is the ability to reconsider things. Requests can be considered, but it is not binding on the Planning Commission to approve.

Commissioner Wilson made a motion to put the proposal on the floor. The motion died for lack of a second.

Eric McNeely asked to defer this item to next month.

Commissioner Jimmy Alexander made a motion to defer the item until next month, at the request of the applicant. Chairman Owens seconded. The motion passed by majority, with Mayor Lothers against.

OLD BUSINESS

2. Report from last BOMA meeting, Mayor

Mayor Lothers reported that ordinance 08-01, amending the zoning ordinance 04-09, in regards to permitted uses in the office industrial (OI) district as it pertains to religious institutions and animal boarding facilities was approved. The rezoning of the two Yazdian properties passed on first reading; and Sam Donald Road was accepted for Maintenance. The BOMA also approved funding for the Rocky Fork Road Realignment to allow eastern access to the ball park. Mayor Lothers reviewed the options that were being considered by the Board.

OTHER BUSINESS

3. Monthly Bond Report

a. Winterset Woods bond extensions sections 4A and 4B

Henry Laird reported that Winterset Woods has provided their new letters of credit and have requested extensions of Sections 4A and 4B to March 29, 2009.

b. Bond Report

Mr. Laird also stated that the bond report is up to date and asked for acceptance of it, including the approval of the extensions for Winterset Woods Sections 4A and 4B.

Commissioner Wilson made a motion to approve the Bond Report, Commissioner Wells seconded. The motion to approve the Bond Report passed unanimously.

4. Other

Mayor Lothers reported that the turn lane re-striping on Sam Donald Road is the Developer's responsibility, and they have been notified.

The lot on Johnson Industrial between the water department and the day care center was discussed. The site plan was originally submitted in 2004, and both the grading permit and site plan have expired. They have been notified that they will have to re-apply before work can continue.

Mayor Lothers also reported that the storm water appeals board met for the first time, and that they will meet on the 1st Tuesday of every month. She further stated they will be very helpful as the Town works on the state-required MS-4 Report.

5. Planning Commissioner Training on Bonding

Henry Laird presented a training session for the Planning Commissioners regarding bonding for subdivision developments as well as non-residential landscaping. The training lasted for approximately 30 minutes.

ADJOURNMENT

Chairman Owens adjourned the meeting at 8:30 p.m.

Approved,

Matt Happel
Planning Commission Secretary

Date